



# CITY OF NEWTON, MASSACHUSETTS

Department of Planning and Development

Michael J. Kruse, Director

David B. Cohen  
Mayor

Telephone  
(617)-796-1120

Telefax  
(617) 796-1142

E-mail  
mkruse@ci.newton.ma.us

Public Hearing Date:	September 27, 2004
Zoning and Planning Action Date:	November 22, 2004
Board of Aldermen Action Date:	December 6, 2003
90-Day Expiration Date:	December 26, 2004

TO: Board of Aldermen  
Planning and Development Board

FROM: Michael Kruse, Director of Planning and Development  
Juris Alksnitis, Chief Zoning Code Official

SUBJECT: Petition # 242-04 of ALD. YATES proposing that **Sec. 30-15** be amended by reducing to .35 the FAR for lots containing 10,000 sq. ft. or less located in Multi-Residence districts.

CC: Mayor David B. Cohen  
Philip B. Herr, Chair, Comprehensive Planning Advisory Committee

**RECOMMENDATION:** *Hold; suggest further study of FAR in Multi-Residence zones leading to adoption of reduced FAR overall.*

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The purpose of this memorandum is to provide the Board of Aldermen, Planning and Development Board, and the public with technical information and planning analysis which may be useful in the decision making process of the Boards. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Zoning and Planning Committee of the Board of Aldermen will consider its discussion at a subsequent Working Session.

## I. BACKGROUND

This petition was first heard June 14, 2004, at which time the item was held pending further deliberations by the Board of Aldermen. At this time, the petition is being reheard, as the initial 90 day time period for action has expired. The Planning and Development Board at its concurrent public hearing on June 14, 2004 also held the item pending further study. The enclosed memorandum prepared by the Planning and Development Department for the June 14 public hearing provided initial review and analysis of the petition.

## II. KEY ISSUES RAISED AT PUBLIC HEARING

The following summarizes key issues raised at the public hearing:

- There should be a workable mechanism to control over-development of small lots grandfathered when the Zoning Ordinance was revised in 1953. This applies primarily to large two-family dwellings constructed as-of-right on small lots in Multi-Residence zones.
- Section 30-15, Table 1, Footnote 7(3) should be revised to plug the “loophole” exempting a property from FAR when 50% or less is demolished as this allows large non-conforming homes to become larger.
- The proposed reduction of FAR by .005 for lots 10,000 sq. ft. or less in MR zones will not, by itself, solve the over-development problem while the Zoning Ordinance excludes ½ stories from the FAR calculation. The definition of *Floor area, gross* needs to be revised to remove the exception, which excludes attics, and half stories from FAR.

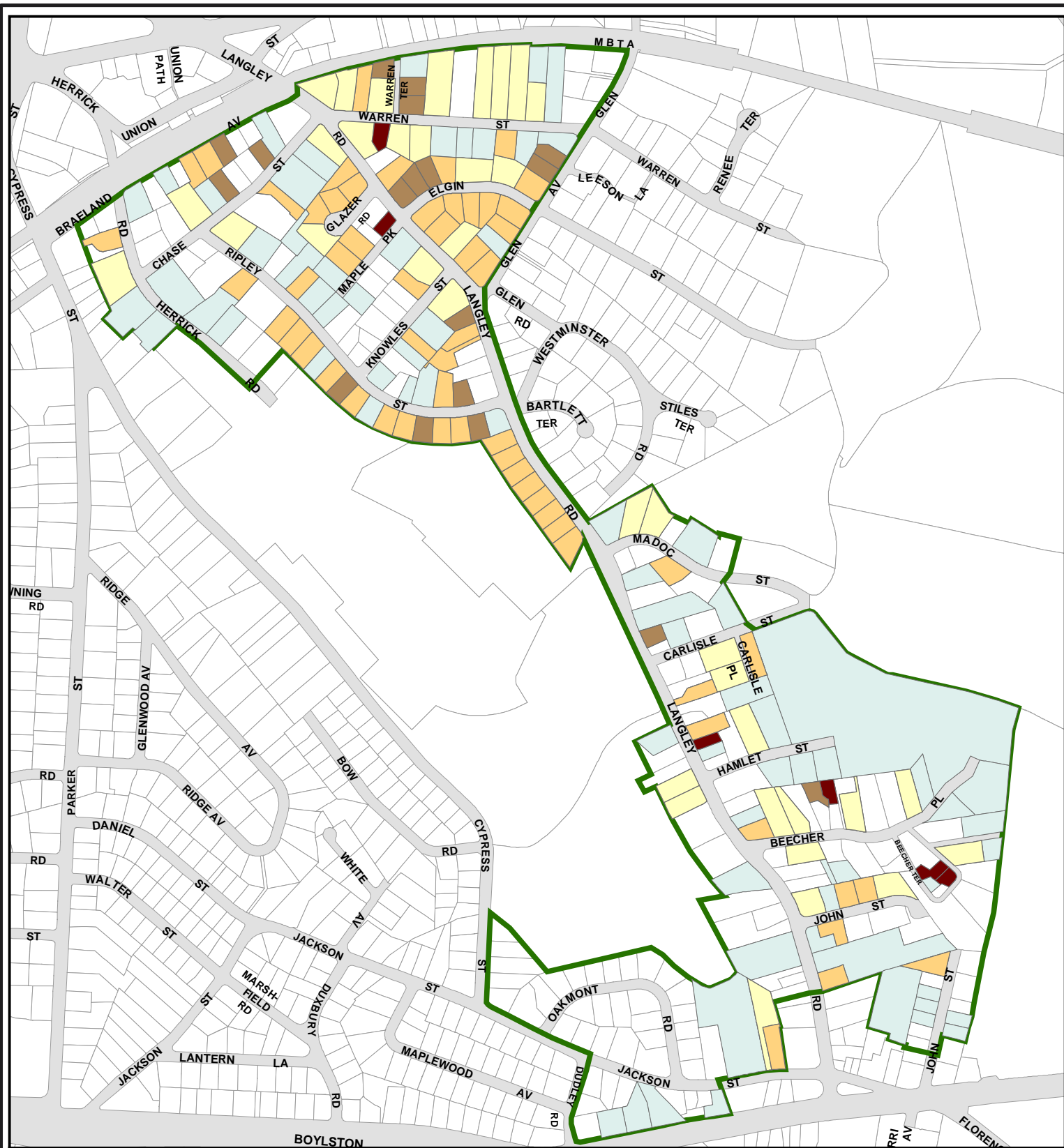
It is noted that the Planning Department reached similar conclusions in its recommendations pertaining to the original petition #242-04, and in addition suggested further study leading to appropriate reduction of FAR in Single Residence, as well as Multi-Residence zones.

In response to inquiries expressed at the Zoning and Planning Committee working session, enclosed are two study maps of the Bowen-Thompsonville area illustrating the distribution of 2F uses by lot size, and also illustrating the distribution of SF homes on lots 7,000 – 10,000 sq. ft. zoned Multi-Residence.

## III. RECOMMENDATION

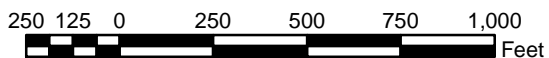
As noted in our initial memorandum, the Planning Department believes that it makes sense to continue to refine Newton’s FAR requirements to develop a more workable mechanism for modulating building size and avoiding oversize dwellings inconsistent with neighborhood character. We suggest further research be conducted of FAR patterns and lot sizes in the City, and that consideration also be given to eliminating two current exceptions from FAR -- the exception for buildings demolished 50% or less during alteration, and the exception for ½ stories.

***The Planning Department recommends “Hold” suggesting that the department conduct further studies of FAR in Multi-Residence zones leading to adoption of reduced FAR overall***



# Two Family Properties

## Bowen-Thompsonville Study Area



### Legend

#### Two Family Residences Square Footage

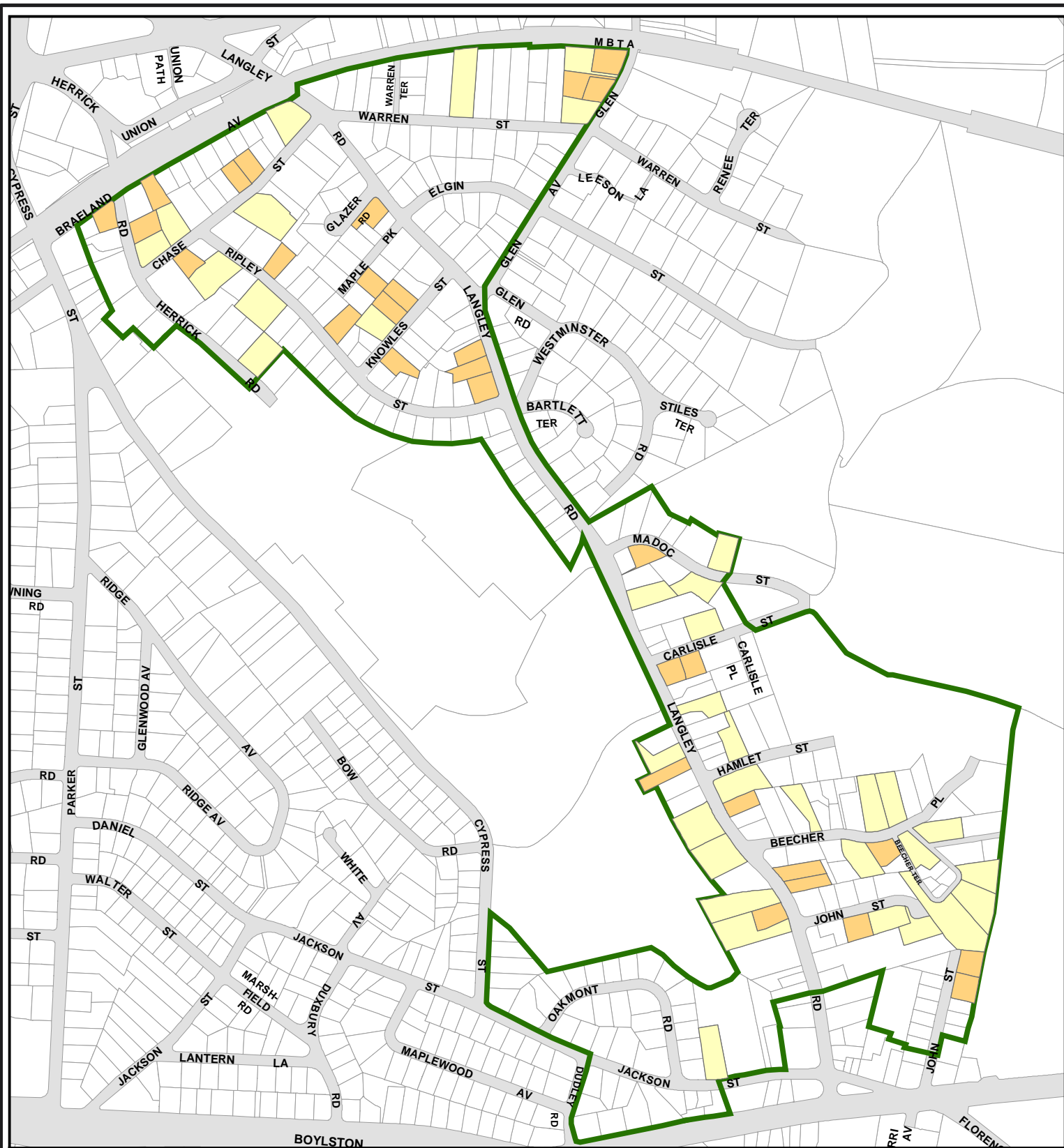
- under 5000 SF
- 5001 - 6999 SF
- 7000 - 10000 SF
- over 10000 SF
- Multi-Residence Properties
- Study Area



City of Newton  
Mayor - David B. Cohen  
GIS Administrator - Douglas Greenfield

The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee its accuracy or approve applications based solely on GIS data. Applicants for city permits must inquire of the relevant city department for applicable requirements.

**MAP DATE: September 24, 2004**



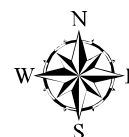
# Single Family Properties in MR Zones

Bowen-Thompsonville  
Study Area

250 125 0 250 500 750 1,000  
Feet

## Legend

- Single Residence  
Properties in MR Zones
- 7000-10,000 SF
- 10,001 and over SF
- Study Area



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**MAP DATE: September 23, 2004**